NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No: 05-4528

UNITED STATES OF AMERICA DARRELL SIVIK, Appellant

Appeal from the United States District Court for the Western District of Pennsylvania (Crim. No. 04-cr-00017) District Court: Hon. Maurice B. Cohill

Submitted Pursuant to Third Circuit LAR 34.1(a) July 11, 2006

Before: SLOVITER, McKEE, and RENDELL Circuit Judges

JUDGMENT

This case came to be heard on the record from the United States District Court for the Western District of Pennsylvania and was submitted pursuant to Third Circuit LAR 34.1(a) July 11, 2006.

On consideration whereof, it is hereby ORDERED by this Court that judgment of conviction entered on October 4, 2005 is affirmed.

ATTEST:

/s/ Marcia M. Waldron

Clerk

Certified as a true copy and issued in lieu of a formal mandate on

Clerk, U.S. Court of Appeals for the Third Circuit

Dated: August 16, 2006